

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. 4:09CR00067CAS (AGF)
	)	
JAMES MICHAEL CARMI,	)	
	)	
Defendant.	)	

**ORDER REGARDING MENTAL COMPETENCY**

This matter came before the Court on the joint motion for an examination pursuant to 18 U.S.C. § 4241(a), to determine the mental competency of Defendant James Michael Carmi to understand the nature and consequences of the proceedings and assist properly in his defense, and to conduct certain medical testing. An examination was ordered pursuant to 18 U.S.C. §§ 4241(b) and 4247 [Doc. #48], and Defendant was transferred to the United States Medical Center, at Devens, Massachusetts, for evaluation. On October 5, 2009, a report of the examination by Julie Amato, PhD., was filed pursuant to 18 U.S.C. § 4247(c). [Doc. #59, filed under seal].

On December 1, 2009, a hearing was held pursuant to 18 U.S.C. § 4247(d). Defendant was present and represented by his attorney, Robert Herman. The government was represented by Assistant United States Attorney Dean Hoag. Both parties had received and reviewed copies of Dr. Amato's report. Neither party had any objections to the report, and neither party believed there was a need for any further testing. Having reviewed the report of Dr. Amato, in which she concludes that Defendant is able to

understand and appreciate the nature and consequences of the proceeding and to assist properly in his own defense, and based on the representations of counsel and this Court's own observations of and discussions with Defendant,

**IT IS HEREBY ORDERED**, pursuant to 18 U.S.C. §§ 4241(a) and (d), that Defendant be adjudged mentally competent to stand trial, based on this Court's findings that Defendant is mentally competent to stand trial and is able to understand the nature and consequences of the proceedings and assist properly in his own defense.

**IT IS FURTHER ORDERED** that the stay previously entered in this cause is hereby lifted.

  
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AUDREY G. FLEISSIG  
United States Magistrate Judge

Dated this 1st day of December, 2009.